

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA

**IN THE MATTER OF:**  
  
**COURT REGISTRY FUNDS**

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**STANDING ORDER NO. 9**

**AMENDED ORDER ADOPTING GUIDELINES  
FOR THE DEPOSIT OF REGISTRY FUNDS**

Rule 67 of the Federal Rules of Civil Procedure having been amended on August 1, 1983, wherein this rule now requires all registry funds with the exception of criminal cash bail, cost bonds, and civil garnishments, to be deposited in interest-bearing accounts, therefore, it is

ORDERED by the Court that to comply with amended Rule 67, Fed.R.Civ.P. the following guidelines are hereby adopted, to-wit:

1. The party depositing money into this Court's Registry Account must serve the clerk with a court order and notice in accordance with Rule 67. This order should specify the amount to be invested into the court approved interest-bearing account.
2. If the Clerk is not served with a court order when the money is tendered to this court, then those funds will be deposited into the Treasury Registry Fund--604700, at no interest, until such time as the Clerk is directed by court order to place said funds at interest.
3. Cost bonds and other bonds in the form of cash, such as removal cost bonds, admiralty cost bonds, injunction cost bonds, etc., are not governed by Rule 67, Fed. Civ.P., and therefore, do not need to be deposited into an interest-bearing account. These funds when received should be deposited in the Treasury Registry Fund--604700 unless accompanied by court order directing deposit at interest.
4. Civil garnishments are not governed by Rule 67, Fed.R.Civ.P., and therefore will not be deposited into an interest-bearing account. Payments received on garnishments should be deposited in the Court's general Deposit Fund--6855XX.
5. The Court hereby designates Bank of America as the depository for registry funds received by this Court.
6. Said bank will provide capabilities to and will calculate accrued interest on any portion of funds on deposit from the date of initial deposit to any date requested by the Court.
7. Said bank will secure all funds on deposit in excess of \$100,000.00 per single account with unpledged U. S. Government securities.

8. In all cases, before disbursement of any funds, counsel must furnish to the Clerk or the Financial Administrator the social security or tax identification number of the recipients of any accrued interest in excess of Ten Dollars (\$10.00) or more where applicable.
9. The Clerk shall furnish to Bank of America the social security or tax identification number of the recipients of any accrued interest and the bank will file information returns pursuant to Rule 76-50 of the Internal Revenue Service on all interest payments of Ten Dollars (\$10.00) or more where applicable.
10. These services will be provided by the bank without service charges to this Court.
11. Under the authority of 28 U. S. C., 1914 and 1930 the Clerk of Court, whose fee schedules are set by the Judicial Conference of the United States, will assess a fee for handling of all funds deposited in noncriminal proceedings with the Court and held in interest bearing accounts or instruments pursuant to 28 U.S.C. 2041 and Rule 67 of the Federal Rules of Civil Procedure.

The Judiciary Appropriation Act for Fiscal Year 1989 (Pub.L. 100-459) established a special fund in the U. S. Treasury for the fees imposed for handling registry funds, which will be available for use by the Judiciary, as more fully set out in Exhibit I attached hereto.

12. The Clerk and the Chief Deputy Clerk are hereby designated as the Fiduciary Officers of this Court with authority to sign registry account checks and/or withdrawal slips from interest-bearing accounts, but no disbursement shall be made from the Registry Account except by order of this Court.

DONE this the 27th day of April, 2004.

/s/  
CALLIE V. S. GRANADE, CHIEF JUDGE

/s/  
CHARLES R. BUTLER, JR., DISTRICT JUDGE

/s/  
WILLIAM S. STEELE, DISTRICT JUDGE

/s/  
W. BREVARD HAND, SENIOR JUDGE

/s/  
VIRGIL PITTMAN, SENIOR JUDGE

**IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF ALABAMA**

<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <div style="text-align: center;">Plaintiff,</div>	* * * * * * * * * *	Civil Action No. _____
vs		
<hr style="border: 0; border-top: 1px solid black; margin-top: 5px;"/> <div style="text-align: center;">Defendant.</div>		

**MOTION TO DEPOSIT SUM OF MONEY  
WITH THE COURT**

Comes now the herein pursuant to Rule 67, Fed.R.Civ.P. and moves the Court for an order authorizing the deposit into the Registry of the Court, the sum of \_\_\_\_\_, and that such sum, to wit: \_\_\_\_\_, be deposited by the Clerk into an interest bearing account with the Court's authorized banking institution at the rate of interest prevailing on the date of deposit, for a period of \_\_\_\_\_ days at which time the funds, together with the interest thereon, shall be by the Clerk either left on deposit, reinvested at rate then prevailing, or retrieved and redeposited into the Registry Account of this Court for disposition pursuant to further order of this Court.

It is understood by Movant that it shall be Movant's responsibility to notify the Clerk, absent Court order, to either reinvest the funds or to leave said funds on deposit.

It is also understood by Movant that the Clerk is authorized to charge a fee pursuant to the provisions of Title 28 U.S.C. §1914 and 1930. The fee charged will be 10% (ten per cent) of the income earned while funds are held in the court's registry or the applicable rate for funds on deposit as set forth in Table 1-1, Section 2.7.4, Financial Management Guide of the Guide to Judiciary Policies and Procedures.

Dated: _____	_____ (Signature)  Attorney for _____
IT IS SO ORDERED THIS _____ DAY OF _____, 20 ____	

\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE